GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:2706
ANSWERED ON:05.12.2007
PUNISHMENT FOR DENIAL OF EMERGENCY TREATMENT
Saradgi Shri Iqbal Ahmed

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Law Commission has recommended a legislation to stipulate punishment to the doctor or person running the hospital, if an emergency treatment is denied;

(b) if so, whether the Government has accepted the recommendation of Law Commission;

(c) if so, whether the Government proposes to bring a legislation in this regard ; and

(d) if so, the time by which it is likely to be introduced?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT.PANABAKA LAKSHMI)

(a) to (d) The Law Commission of India in the 201st report on "Emergency Medical Care to Victims of Accidents and during Emergency Medical Condition and Women under Labour" have suggested a model law which, inter-alia, provides for punishment for the Doctor or persons running the hospital if an emergency treatment is denied. The said report of the Law Commission of India has been laid on the Table of the Lok Sabha on 7.9.2007. Health being a State subject, it is for the State Governments to get enacted legislation based on this model law.